IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.4750 OF 2004

Shri.Ratnadeep Mansing Pawar ...Applicant

Versus

The State of Maharashtra ...Respondent

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Mr.P.K.Dhakephalkar with Mr.Sachin Dhakephalkar for Applicant.

Mr.S.R.Shinde, A.P.P. for Respondent.

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CORAM: A.M.KHANWILKAR, J.

NOVEMBER 22, 2004.

P.C.

1. Heard Counsel for the parties. Perused the record.

2. On the previous date of hearing, it was stated that report has been lodged that prosecution witness has been threatened at the instance of the Applicant. Time was sought to place that fact on record on affidavit. No such affidavit has been filed on record. In the circumstances, the matter

will have to be heard on its own merits.

3. On perusing the record, I am in agreement with the argument canvassed on behalf of the Applicant that the only circumstance that can be used against the Applicant, is of making part payment to the owner of the motor vehicle in the sum of Rs.12,000/- (Rupees Twelve Thousand). Learned A.P.P., however, placed reliance on the statement of Pintya @ Dhanraj Nilkanth Lingaye, who is stated to be accused in some other case. He fairly accepts that there is no other material which would support the statement of Pintya @ Dhanraj Nilkanth Lingaye, insofar as the role of the Applicant is concerned.

4. Taking overall view of the matter, as the investigation is complete and charge-sheet also has been filed, the Applicant deserves to be enlarged on bail on strict conditions, viz.-

(a) The Applicant is enlarged on bail in connection with C.R.No.192/04 registered with Satara City Police Station, on executing personal

bond in the sum of Rs.25,000/- (Rupees Twenty-five Thousand) with one or two local sureties in the like amount.

(b) The Applicant shall report to the concerned Police Station between 10.00 a.m. and 5.00 p.m. on first Saturday of every month during the trial.

(c) The Applicant shall not influence the prosecution witnesses or tamper with the prosecution evidence in any manner whatsoever.

(d) The Applicant shall extend full co-operation to the Trial Court for early disposal of the trial and if the Trial Court is of the opinion that the Applicant is responsible for the delay of the trial, that be recorded in the Roznama, which would be a ground for cancellation of bail.

. Application allowed on the above terms.

A.M.KHANWILKAR, J.